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Error to Circuit Court, Henrico County.

Action by Casselman & Co. against George Arents. Judgment for plaintiffs, and defendant brings error. Affirmed.

*Henry R. Miller* and *R. M. Jeffries*, for plaintiff in error.

*Isaac Diggs* and *L. O. Wendenburg*, for defendants in error.

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JOHNSON *v.* MICHAUX.

Jan. 13, 1910.

[66 S. E. 823.]

**Appeal and Error (§ 1032\*)—Review—Burden of Showing Error.**—On appeal from a decree dismissing a bill in equity, the burden is on complainant to show error to his prejudice.

[Ed. Note.—For other cases, see Appeal and Error, Cent. Dig. §§ 4047-4051; Dec. Dig. § 1032.\* 1 Va.-W. Va. Enc. Dig. 609, et seq.]

Appeal from Circuit Court, Warwick County.

Action by Henry Johnson against Henry Michaux to quiet title. From a decree dismissing the bill, plaintiff appeals. Affirmed.

*J. N. Stubbs*, for appellant.

*Ashby & Read*, for appellee.

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MYERS *v.* COMMONWEALTH.

Jan. 13, 1910.

[66 S. E. 824.]

**1. Taxation (§ 87\*)—Property Subject to Taxation—Statutes.**—Under Code 1904, §§ 492, 492a, 492b, providing that funds deposited to the credit of a suit to await adjudication and disbursement shall not be listed for taxation, and that evidences of debt held subject to the order of any court shall be taxed to the clerk of the court, etc., and Tax Bill Schedule C, § 8, subsec. 6, (Code 1904, Append. p. 2195), providing that money deposited to the credit of any suit shall not be listed for taxation, money arising from the sale of a debtor's personal property at the suit of creditors, instituting a creditors' suit, is subject to taxation as a court fund, before a report of debts has been made.

[Ed. Note.—For other cases, see Taxation, Dec. Dig. § 87.\* 13 Va.-W. Va. Enc. Dig. 100, 103.]

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\*For other cases see same topic and section NUMBER in Dec. Am. Digs. 1907 to date, & Reporter Indexes.